



IT IS ORDERED as set forth below:

Date: April 9, 2018

A handwritten signature in black ink, appearing to read "W. Homer Drake".

W. Homer Drake
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

In Re:

Conchitter Hightower Gardner,
Debtor.

Chapter 13

Case No. **16-10063-WHD**

United Bank Mortgage Co.,

Movant,

V.

Conchitter Hightower Gardner also
known as Conchitter Hightower, Debtor,
and Melissa J. Davey, Chapter 13 Trustee,
Respondents.

Contested Matter

ORDER GRANTING RELIEF FROM STAY

Movant's motion for relief from the automatic stay of 11 U.S.C. § 362(a) filed March 7, 2018 (Doc. 72) came on for hearing on March 29, 2018. Movant asserts that it properly served the Motion and notice of the hearing on the Respondents. No one filed a response or objection to the motion or appeared at the hearing in opposition to the motion. The Court, having considered

the motion and all other matters of record, has determined that relief from the automatic stay should be granted as set forth herein.

It is, therefore, ORDERED as follows:

1. The automatic stay of 11 U.S.C. § 362 is hereby terminated to permit Movant and its successors and assigns to assert and exercise all of their rights and remedies with regard to the property commonly known as 548 North 3rd Street, Griffin, GA 30223, more particularly described at Deed Book 1343, Page 129, Spalding County records (“the Property”), including, but not limited to, the institution and completion of foreclosure and dispossessory proceedings in accordance with applicable law and the collection of reasonable fees from the Property to the extent permitted by applicable law.

2. This Order does not determine any issues with regard to the amount or validity of the claim of the Movant, its successors or assigns, or any rights or interests of the Movant, its successors or assigns, the Debtors, or any other entity in the Property.

3. Upon the completion of any foreclosure sale prior to the closing of this case, if the proceeds of the sale exceed the amount to which the Movant is entitled, the Movant shall file a report showing the disposition of such excess in accordance with applicable law and shall pay to the Trustee in the case any amount otherwise due to the Debtors.

4. This Order shall be effective immediately, and the stay under Fed. R. Bankr. P. 4001(a)(3) shall not apply.

5. The Chapter 13 Trustee shall cease disbursements on Movant’s Proof of Claim.

END OF DOCUMENT

Prepared by:

No Opposition

/s/Taylor S. Mansell

Taylor S. Mansell
Georgia Bar No. 940461
Attorney for Movant
211 Perimeter Center Parkway, N.E.
Suite 300
Atlanta, GA 30346
770-220-2535
tmansell@LOGS.com

/s/

with express permission

William A. Bozarth, Staff Attorney
Georgia Bar No. 940530
Chapter 13 Trustee
Suite 200
260 Peachtree Street, NW
Atlanta, GA 30303
(678)510-1444

DISTRIBUTION LIST

CONCHITTER HIGHTOWER GARDNER
548 North 3rd Street
Griffin, GA 30223

NICOLE R. STANTON
The Cochran Firm Bkr, LLP
Suite 150
547 Ponce de Leon Avenue
Atlanta, GA 30308

MELISSA J. DAVEY
Melissa J. Davey, Standing Ch 13 Trustee
Suite 200
260 Peachtree Street, NW
Atlanta, GA 30303

Shapiro Pendergast & Hasty, LLP
211 Perimeter Center Parkway, N.E.
Suite 300
Atlanta, GA 30346